

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ernst V. ARNOLD, *et al.*
Title: NITRIC OXIDE-RELEASING POLYMERS
Appl. No.: 10/588,718
International Filing Date: January 6, 2005
371(c) Date: May 15, 2007
Examiner: Darryl C. Sutton
Art Unit: 1612
Confirmation Number: 1962

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56

Mail Stop: IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 C.F.R. §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 C.F.R. §1.97(c), before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

The attached document C1 was cited in an Office Action, dated February 2, 2010, of the corresponding Canadian Patent Application No.: 2,555,591. A copy of the Action is attached as C2.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with M.P.E.P. §609.

STATEMENT

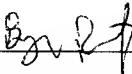
The undersigned hereby states in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.


Although Applicant believes that no fee is required, the Commissioner is hereby authorized to charge any additional fees which may be due to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 11, 2010

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5483
Facsimile: (202) 672-5399

By  Ry # 59,349

 Richard C. Peet
Attorney for Applicants
Registration No. 35,792